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**Constellation  
Nuclear**

*A Member of the  
Constellation Energy Group*

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October 2, 2001

The Honorable Spencer Abraham  
Secretary of Energy  
U. S. Department of Energy  
1000 Independence Avenue, S. W. 7A-257  
Washington, D. C. 20585

Re: Comments on the possible site recommendation for Yucca Mountain (66 Fed. Reg. 23,013 (May 7, 2001); 66 Fed. Reg. 43,851 (August 21, 2001); 66 Fed. Reg. 45,845 (August 30, 2001))

Dear Mr. Secretary:

Constellation Nuclear, a wholly-owned subsidiary of Constellation Energy Group, is pleased to submit comments on the Department of Energy's possible recommendation of the site at Yucca Mountain as suitable for development of the nation's permanent repository for nuclear spent fuel and high-level radioactive waste. These comments supplement the technical comments on the Department's Preliminary Site Suitability Evaluation ["PSSE"] submitted in our behalf as a member of the nuclear energy industry by the Nuclear Energy Institute.

Constellation Nuclear is the owner and operator of Calvert Cliffs Nuclear Power Plant located in Lusby, Maryland. There are two pressurized water reactors at the site with a total capacity of 1,700 megawatts of electricity. Calvert Cliffs Units 1 and 2 have been in operation since 1974 and 1976, respectively, and their original forty-year operating licenses were the first in the country to be extended last year by the Nuclear Regulatory Commission for an additional twenty years. Spent nuclear fuel from the reactors is stored in the spent fuel pool and at an independent spent fuel storage facility located on the plant site. In addition to its ownership of Calvert Cliffs, Constellation Nuclear expects to close before the end of this year on its purchase of the Nine Mile Point nuclear assets located in Scriba, New York. Nine Mile Point has two boiling water reactors with a total capacity of 1,756 megawatts. Constellation Nuclear has agreed to purchase 100% of Unit 1 and 82% of Unit 2 (1,550 megawatts). Spent nuclear fuel from the Nine Mile Point reactors is stored solely in the spent fuel pool.

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Constellation Nuclear has followed the Department's extensive efforts over the years in the Yucca Mountain site characterization process. We strongly encourage a recommendation to the President of the United States that the site at Yucca Mountain is suitable for the location of a repository for the nation's spent nuclear fuel. This conclusion is based on the following points:

1. A review of the findings contained in the PSSE, all of its supporting documentation, and the numerous other reports of the Department related to the Yucca Mountain site, leads to the conclusion that the Yucca Mountain site is capable of supporting a properly designed and constructed repository that will protect public health and safety within the requirements of the Environmental Protection Agency and the Nuclear Regulatory Commission.
2. These findings are based on over twenty years of scientific research and multiple public hearings held by the Department of Energy.
3. At numerous intervals in the Department of Energy's scientific inquiry, the Department initiated scientific peer reviews of its methodology and findings. The Department was responsive to these reviews with improvements to the program.
4. The National Academy of Sciences, the Nuclear Waste Review Board, the National Laboratories, as well as numerous other government and private entities have reviewed and commented extensively over the years on various aspects of the Department of Energy's site characterization program.
5. A rigorous licensing process of the Nuclear Regulatory Commission would follow the approval of Yucca Mountain by the President and the Congress as a suitable site for the nation's repository before the facility could be built. The facility could not be built and licensed without the determination by the NRC that the total repository system, including the site at which it is built, will be protective of public health and safety.

This country made the decision in 1982 that development of a central facility for the storage and disposal of spent nuclear fuel would be our national policy. Since 1983, nuclear plant licensees and their utility ratepayers have paid over \$11 billion into the nuclear fuel repository. The Department of Energy has spent nearly \$7 billion on that fund over the past twenty years to find and characterize a site for the repository. In the meantime, spent nuclear fuel continues to accumulate at seventy reactor sites across the country. The numerous studies of the Department, including the PSSE, reveal nothing that would disqualify the Yucca Mountain site as suitable for the repository.

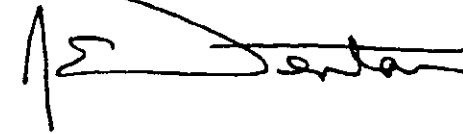
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Therefore, Constellation Nuclear strongly urges that a recommendation be made to the President that Yucca Mountain is a suitable site for the development of a permanent repository.

We thank you for the opportunity to comment in these proceedings. We would be pleased to respond to any inquiries that you may have as the public comment process continues.

Sincerely,

A handwritten signature in black ink, appearing to read "Spencer Abraham", written over a horizontal line.

Cc: The Honorable Robert G. Card, Under Secretary of Energy  
Mr. Lake H. Barrett, Acting Director, Office of Civilian Radioactive Waste  
Management, Department of Energy  
Mr. Joe Colvin, Nuclear Energy Institute